CA 3004
(9)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3479 /2003

PETITIONERS :

1. **M/s Ganesh Ferro Alloys Pvt. Ltd. through Naresh Kumar Agrawal, Managing Director, Jorapali, P.O. Dhanagar, Distt. : Raigarh (C.G.)**
2. **Smt. Shanti Devi Agrawal, Vill. : Themra, P. S. Sadar, Distt. Sambalpur (Orissa)**
3. **Bijoy Kumar Agrawal Patnaik Para, Sambalpur (Orissa)**

- Versus -

RESPONDENTS :

1. **Union of India, Through Secretary, Ministry of Law, Shastri Bhawan, R. P. Road, New Delhi.**
2. **Branch Manager Allahabad Bank, Raigarh (C.G.)**
3. **Regional Manager, Allahabad Bank, AGM Office LIC Building Pandri Road Raipur (C.G.)**

P. R. No. 3029/03
Presented by Shri M.K. Rajor
dated 6.11.03

Copy Rec'd
Shri
11/11/03
for UOI

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(52)

आदेश पत्रक

मामला क्रमांक W.P. 3479 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

29/06/2004: -

Shri M.L.Pathore, counsel for the petitioners.

Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1.

None for the respondent No.2 and 3.

Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed.

However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

[पीछे देखिये]